

# TENNESSEE SEX OFFENDER TREATMENT BOARD

## POLICY NO. 7

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### DISCIPLINARY ACTION – UNPROFESSIONAL CONDUCT

A. The Board has the authority to:

- 1) Deny any application or request for becoming a “board approved sex offender treatment provider”
- 2) Permanently or temporarily withhold approval status
- 3) Suspend, limit or restrict a previously approved provider’s approval status
- 4) Reprimand or take such action in relation to disciplining an applicant as the board in its discretion may deem proper
- 5) Permanently revoke a provider’s approval status

a) The grounds upon which the board shall exercise such authority includes, but is not limited to the following:

- 1) Conviction of a felony;
- 2) Using fraud or deception in applying for board approval
- 3) Violating the rules, regulations, and conditions adopted by the board
- 4) Engaging in professional misconduct, unethical or unprofessional conduct, including but not limited to, willful acts, negligence, exploitation, conduct likely to deceive, defraud or harm the public or clients

B. Disciplinary Actions

- 1) Upon a finding by the board that an approved provider has violated any rules, regulations, or conditions adopted by the board, the board may impose any of the following actions separately or in any combination deemed appropriate to the offense.

a) **Advisory Censure** - This is a written action issued to an approved provider for minor infractions. It is informal and advisory in nature designed to help the provider address potential infractions and does not constitute a formal disciplinary action.

b) **Formal Reprimand** - This is a written action issued by the board to an approved provider for one time and less severe violations. It is a formal disciplinary action.

c) **Probation** - This is a formal disciplinary action which places the approved provider on close scrutiny for a fixed period of time. This action may be combined with conditions which must be met before probation will be lifted and/or which restrict the approved provider’s activities during the probationary period.

- d) **Suspension** - This is a formal disciplinary action which suspends a provider's right to provide sex offender treatment services for a fixed period of time. It contemplates the reentry of the provider into the practice.
- e) **Revocation** - This is a formal disciplinary action and the most severe form of discipline the board may take. This action removes the provider from providing sex offender treatment services and terminates the provider's approval status. The board at its discretion may allow reinstatement of a revoked approval status upon conditions and after a period of time deemed appropriate. No petition for reinstatement and no new application for board approval status from a provider who has had their approval status revoked shall be considered for at least one year. The board has no obligation to consider a petition for reinstatement or new application from a provider who has had their approval process revoked.
- f) **Conditions** - These include any action deemed necessary or appropriate by the board to be required of a provider disciplined during any period of probation or suspension or as a prerequisite to lifting the probation or suspension or the reinstatement of a revoked approval status.